

## **schneider, marchant**

---

**From:** Lohr, Amy  
**Sent:** Wednesday, March 17, 2010 10:52 AM  
**To:** schneider, marchant  
**Cc:** Seigfried, Marilee; Ferrall, Diane; Glass, Susan  
**Subject:** RE: Request for SPEX Conditions Review - SPEX 09-20, Loudoun Water - Water Storage  
**Attachments:** CONDITIONS(DRAFT) 02-04-10\_zoning comments.docx

Marchant,

Attached please find the Zoning Division's suggested edits to the draft conditions related to the subject case.

Additionally, I have four other comments:

1. Limits of the Quarry Overlay. The quarry overlay will need to be re-mapped once this property is no longer used for Quarrying. Typically, the County is responsible for initiatives that expand/change the overlay districts. This case is a little different, in that we'll be changing the designation of the property from "Luck quarry" to "Luck note area". Then, the "Luck note area" will also decrease, since the quarry area decreases. We should probably consult with the Co. Attorney's office on this matter.
2. The applicant should revise note 7, which appears on both sheets 5 and 6, to be consistent with whatever condition 8 ultimately says. Or, simply delete these notes and let condition 8 stand on its own.
3. Section 5-1400 table. On sheet 3, this table has been revised. I suggest the prior language on the plat dated 10-13-09 be used.
4. On sheet 4, delete the parking label, or show the whole label. It's a little confusing since the label is cut off.

Thanks,  
Amy

---

**From:** schneider, marchant  
**Sent:** Wednesday, March 03, 2010 1:47 PM  
**To:** Seigfried, Marilee  
**Cc:** schneider, marchant; Lohr, Amy  
**Subject:** Request for SPEX Conditions Review - SPEX 09-20, Loudoun Water - Water Storage

Hi, Marilee!

I dropped off documents regarding the above-mentioned application. I've also attached the referral cover and draft conditions.

Would you mind coordinating to have the draft conditions of approval reviewed?

Amy Lohr was the referral writer. I've copied her on this email as well.

Thank you!

Marchat

-----  
Marchant Schneider  
Senior Planner, Land Use Review  
Loudoun County Department of Planning

P.O. Box 7000, MSC #62  
Leesburg, Virginia 20177-7000  
(o) 703.777.0246  
(f) 703.777.0441  
[marchant.schneider@loudoun.gov](mailto:marchant.schneider@loudoun.gov)

**SPEX 2009-0020, SPEX 2009-0033, SPMI 2009-0009**  
**LOUDOUN WATER – WATER STORAGE**  
**CONDITIONS OF APPROVAL**  
**(February 4 ~~March 17~~, 2010)**

1. **Substantial Conformance.** The proposed Special Exception and Minor Special Exception uses, ~~water storage tank,~~ shall be developed in substantial conformance with Sheet 1, Sheet 4, Sheet 5, and Sheet 6 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled Special Exception / Commission Permit, SPEX 2009-0020, CMPT 2009-0006, SPEX 2009-0033, SPMI 2009-0009, Loudoun Water: Quarry A Water Storage Facility, prepared by Urban, Ltd., dated April 2009, revised through January 08, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"). Approval of this application for Tax Map /61111111/29/ (PIN# 114-25-6156) (the "Property"), shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted.** Approval of the Special Exception and Minor Special Exception uses grants 1) SPEX 2009-0020 for approval under the general use "Water storage tank" as set forth in the Revised 1993 Loudoun County Zoning Ordinance, in the MR-HI (Mineral Resource – Heavy Industrial) Zoning District. This Special Exception specifically approves the storage of up to one (1) billion gallons of water in Quarry A once the stone quarrying use approved by SPEX 1971-0005, Leesburg Stone Corporation, has ceased; 2) SPEX 2009-0033 for approval under the general use "structures or uses required for the operation of a public utility" in the Floodplain Overlay District; and 3) SPMI 2009-0009 for modification of the Type Four (4) Buffer Yard required by Section 5-621(B) as set forth in Condition 6. Buffer Area below. The <sup>[AML1]</sup> uses approved in SPEX 2009-0020 and SPEX 2009-0033 shall ~~This Special Exception applies~~ only to that area of the Property shown on Sheet 4, ~~and Sheet 5, and Sheet 6~~ as lying within the bold, single-dash lines and labeled as "Limits of SPEX" (1,512,121.93 S.F. or 34.71 ac.)" (the "Special Exception Area").
3. **Period of Validity.** The Special Exception and Minor Special Exception uses ~~The special exception permit for water storage tank use~~ shall be valid for a period of fifteen (15) years from the date on which the Special Exception use is approved. ~~The above language is based on the text of Section 6-1313(a). The Applicant has requested alternative language be considered: "The period of validity for the sSpecial eException and Minor Special Exception uses~~ permit for the water storage tank shall be a period of fifteen (15) years from the date on which the Special Exception use is approved". <sup>[AML2]</sup>
4. **Floodplain Study.** The Applicant shall complete a floodplain study for the Property in accordance with the Zoning Ordinance and Facilities Standards Manual (FSM). The Floodplain Study shall be approved by the County prior to first site plan approval for the ~~Special Exception Use~~ SPEX 2009-0020 or SPEX 2009-0033.

5. **Fencing.** ~~Prior to first zoning permit approval for the water storage tank use SPEX 2009-0020 or SPEX 2009-0033, the Applicant shall install a black vinyl or similarly coated chain link fence at least ten feet (10') in height along the perimeter of the Special Exception Area as shown on Special Exception Plat Sheet 54 [AML3].~~
6. **Buffer Area.** ~~Prior to or in conjunction with first site plan approval for SPEX 2009-0020 or SPEX 2009-0033 the Special Exception use, the Applicant shall supplement existing vegetation to achieve seven (7) acres of tree canopy cover within the hatched area shown on Special Exception Plat Sheet 4 ("Quarry Buffer Exhibit"). The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester. The Applicant shall utilize native species for new plant material, as determined in consultation with the County Urban Forester, to the maximum extent possible. All required supplemental plantings shall be depicted upon and bonded with the first site plan.~~
7. **Lighting.** Site lighting shall conform to Section 5-1500 of the ~~Revised 1993 Loudoun County Zoning Ordinance~~ and Sections 7.110 and 7.120 of the FSM and the following:
  - a. **Light Fixtures.** ~~Lighting fixtures associated with the Special Exception use SPEX 2009-0020 shall be full cutoff and fully shielded and shall direct light downwards and into the interior of the water tank storage area and away from surrounding public roads and properties. Said lighting shall meet the requirements of the FSM, unless otherwise required by law, ordinance, or regulation.~~
  - b. **Height of Light Fixtures.** The mounting height of any light fixture shall not exceed 20 feet. Height shall be measured from the ground to the bottom of the light fixture.
8. **Vehicular Access.** Vehicular Access to the Special Exception Area shall be limited to the Access road ("Ex. Jackpit Lane") shown on the Special Exception Plat. In the event the Property Owner or Virginia Department of Transportation (VDOT) seek to relocate or close Jackpit Lane to facilitate improvements to Route 659, the Applicant shall be permitted to relocate the Access road between Route 659 and the Special Exception Area, upon written approval of the Zoning Administrator and approval by VDOT, if required. Should the Access road be relocated following site plan approval, a new site plan shall be submitted for approval. [In [AML4] no case shall the Applicant access the Special Exception Area from the existing tunnel underneath the W&OD Trail or the existing Vehicular access to the Special Exception use shall not be permitted from paved driveway crossings of the W&OD Trail, located to the south of adjacent to the Property.

8.9. **Previous Special Exception Conditions.** Upon commencement of SPEX 2009-0020 for water storage, the conditions of approval of SPEX 1971-0005, Leesburg Stone Corporation, as they apply to the subject Property, shall be null and void.

[AML5]

DRAFT